	Application No.	Applicant(s)	Od
Notice of Allowability	09/423,776	DUNLOP, COLIN	Ou,
	Examiner	Art Unit	
	Robert L. Nasser	3736	
The MAILING DATE of this communication appeal claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED or other appropriate commisciples. This application is	in this application. If not include nunication will be mailed in due	ed course. THIS
1. A This communication is responsive to paper filed 7/12/2004	ļ.		
2. X The allowed claim(s) is/are 66-97 (renumbered 1-32).			
3. $igotimes$ The drawings filed on <u>8/8/2001</u> are accepted by the Exam	ner.		
 4. Acknowledgment is made of a claim for foreign priority una) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: 	e been received. e been received in Applicati	on No	tion from the
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		e a reply complying with the rec	quirements
 A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 			IOTICE OF
6. CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner' Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the control of the paper No./Mail DEPOSIT OF and/or INEORMATION shout the done	son's Patent Drawing Revie s Amendment / Comment on .84(c)) should be written on the header according to 37 C	or in the Office action of the drawings in the front (not the FR 1.121(d).	
 DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT 			vote the
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 07122004 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. Interview S Paper No 08), 7. Examiner's	nformal Patent Application (PTG Summary (PTO-413), ./Mail Date s Amendment/Comment s Statement of Reasons for Allo 	ŕ
		Robert L. Nasser Primary Examiner Art Unit: 3736	

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The following is an examiner's statement of reasons for allowance:

Claims 66-97 in that although Mars teaches that cardiac output is important in anesthetized patients, it does not teach controlling anesthesia delivery based on an indication of cardiac output, as claimed. In addition, none of the remaining, as previously discussed, teaches using cardiac output to trigger delivery of anesthesia.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert L. Nasser whose telephone number is (703) 308-3251. The examiner can normally be reached on Mon-Fri, variable hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (703) 308-3130. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert L. Nasser Primary Examiner Art Unit 3736

RLN August 3, 2004

ROBERT L. NASSER PRIMARY EXAMIN IR